

Public Notice of Application for Permit

Regulatory Branch
Post Office Box 3755
Seattle, Washington 98124-3755
Telephone (206) 764-3495

ATTN: Jim Green, Project Manager

Public Notice Date: November 16, 2005 Expiration Date: December 16, 2005

Reference: 200500828 Name: Driftwood Key Club

Interested parties are hereby notified that an application has been received for a Department of the Army permit in accordance with Section 10 of the Rivers and Harbors Act of 1899, and Section 404 of the Clean Water Act for certain work described below and shown on the enclosed drawings.

APPLICANT: Driftwood Key Club

Post Office Box 299

Hansville, Washington 98340

AGENT:

URS Corporation

1501 – 4th Avenue, Suite 1400 Seattle, Washington 98101-1616

ATTN: Mr. Don Benson Telephone: (206) 438-2027

LOCATION: In the entrance channel to Coon Bay, Hood Canal, Puget Sound near Hansville, Kitsap County,

Washington.

<u>WORK</u>: The proposed work is to maintenance dredge up to 29,000 cubic yards of sediment using a barge with a clamshell dredge. The dredged material will be disposed of at a Puget Sound Dredged Disposal Analysis (PSDDA) open-water disposal site in either Port Townsend or Port Gardner, Puget Sound by bottom-dump barge. The work will also include the installation of 3 piling to be used as channel markers.

<u>PURPOSE</u>: To return the entrance channel to a safe, useable small boat entrance and adequately mark the entrance channel.

PUGET SOUND DREDGED DISPOSAL ANALYSIS (PSDDA):

<u>Dredged Material Testing</u>: The proposed dredged material has been tested according to the procedures specified in PSDDA, a multi-agency program for the evaluation of dredged material proposed for disposal at open-water sites in Puget Sound. The PSDDA evaluations may include both chemical and biological testing of sediments. For this project, the PSDDA agencies determined that all 29,000 cubic yards were suitable for unconfined disposal at the PSDDA nondispersive open-water disposal site in Port Gardner, Puget Sound near Everett, Washington or the dispersive open-water disposal site in Port Townsend, Puget Sound near Port Townsend, Washington. The sediment testing data are available at the U.S. Army Corps of Engineers (Corps), Seattle District, Dredged Material Management Office.

200500828

<u>Disposal Site Use Conditions</u>: The following standard site use conditions will be specified by the Corps and the Washington Department of Natural Resources as part of the Federal/State permitting processes: (1) during the periods of tribal fishing in the disposal site area, disposal will only occur during daylight hours; and (2) during the daylight hours, "navigation rules of the road" will apply to the dredger in the event Tribal fishing is occurring at the disposal site. The dredger's permit will state that disposal is to occur when there is no Tribal fishing occurring at the disposal site. Other appropriate special conditions may be added as a result of comments received during the public review period for this public notice.

ENDANGERED SPECIES: The Endangered Species Act (ESA) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat. The Puget Sound Chinook (*Oncorhynchus tshawytscha*), Hood Canal summer-run chum (*Oncorhynchus keta*), Coastal-Puget Sound bull trout (*Salvelinus confluentus*), bald eagle (*Haliaeetus leucocephalus*), Steller sea lion (*Eumetopias jubatus*), and the Marbled murrelet (*Brachyramphus marmoratus*), all threatened in the state of Washington, occur in the proposed project area. For Puget Sound Chinook, Hood Canal summer-run chum, and Coastal-Puget Sound bull trout, critical habitat has been designated.

A preliminary determination indicates that the activity may affect, but is not likely to adversely affect these species, or their critical habitat, designated under the Endangered Species Act of 1973. Informal consultation under Section 7 of the ESA has been initiated with the NMFS and the USFWS.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed action would impact approximately 3 acres of EFH for Pacific salmon, Groundfish, and Coastal Pelagic Species in the project area. The U.S. Army Corps of Engineers (Corps) has determined that the proposed action will not adversely affect designated EFH for federally managed fisheries in Washington waters. No further EFH consultation is necessary.

CULTURAL RESOURCES: The District Engineer has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. There are no recorded historic properties within the permit area. The permit area has been so extensively modified by modern development that little likelihood exists for the proposed project to impinge upon an undisturbed historic property. The District Engineer invites responses to this public notice from Native American Nations or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns with historic properties in the area. This public notice initiates consultation under Section 106 of the National Historic Preservation Act (36 CFR 800.4[a][3]), with any Tribe that has information or concerns with historic properties in the proposed permit area.

<u>PUBLIC HEARING:</u> Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

EVALUATION: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation,

shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The U.S. Army Corps of Engineers is soliciting comments from the public; Native American Nations or tribal governments; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

The proposed discharge will be evaluated for compliance with guidelines promulgated by the Environmental Protection Agency under authority of Section 404(b)(1) of the Clean Water Act. These guidelines require an alternatives analysis for any proposed discharge of dredged or fill material into waters of the United States.

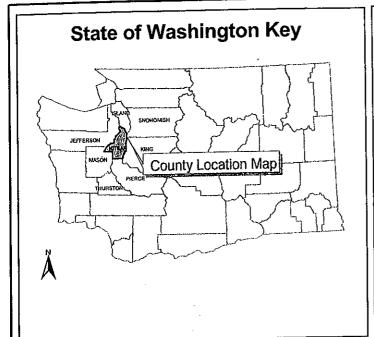
<u>ADDITIONAL EVALUATION</u>: The State of Washington is reviewing this work for consistency with the approved Washington Coastal Zone Management Program and for compliance with the applicable State and Federal water quality standards pursuant to Section 401 of the Clean Water Act.

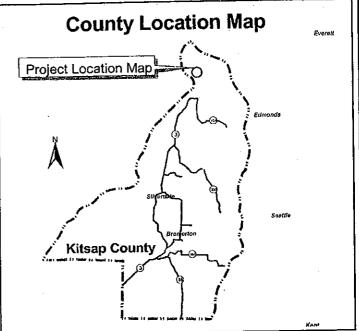
This proposal is the subject of Shorelines Substantial Development Permit application being processed by Kitsap County.

COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown below. All e-mail comments should be sent to James.D.Green@usace.army.mil. Conventional mail comments should be sent U.S. Army Corps of Engineers, Regulatory Branch, Post Office Box 3755, Seattle, Washington, 98124-3755. Both conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commentor's name, address, and phone number. All comments whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration. Please include the following name and reference number:

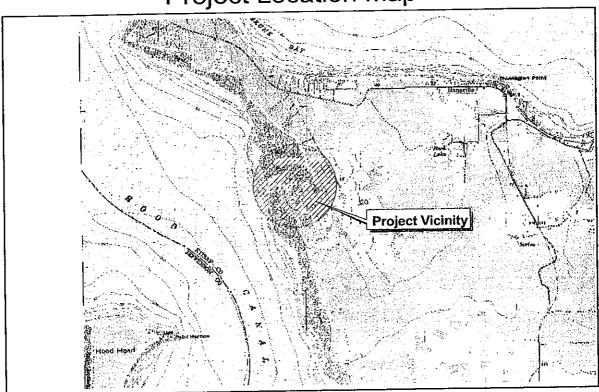
Driftwood Key Club, 200500828

Encl Drawings (9 sheets)





Project Location Map

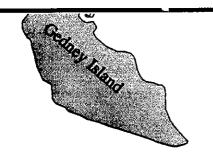




Map data shown here are the property of the sources listed below. Inaccuracies may exist, and Adolfson Associates, Inc. implies no warrantles or guarantees regarding any aspect of data depiction.

Source: USGS; ESRI, Inc. Edits: 21146\vicinity.apr kh

200500828 Proposed Maintenance Dradying of Disposed, Piling IN Hood Canal, P.S. Near Hansville COUNTY OF FITSUP STATE WAS SHEET OF 9 DATE Jul 2005



Port Gardner Disposal Site

TYPE: Nondispersive

DEPTH: 420 ft. AREA: 318 Acres

SITE DIMENSIONS: 4200 ft. by 4200 ft. circular

DISPOSAL ZONE: 1800 ft. Diameter TARGET AREA: 1200 ft. Diameter BARGE POSITIONING METHOD: GPS

NAD27 LOCATION: Lat 47ø 58.86' Long 122ø 16.67'

NAD83 LOCATION: Let 47# 58.85' Long 122# 16.74'

Disposal Area

Target Area

Port Gardner

EVERETT

Mukilteo

PURPOSE: Provide sofe navigation

DATUM: N-0.5. - M.L.L. W. = 0.01

ADJACENT PROPERTY OWNERS:

See sheets 6-9

200500828 Proposed Maintenance Dredging & Disposed, Piling IN Hood Canal, P.S. Near Hansuille STATE WA COUNTY OF KITSED APPLICATION BY Driftword Key Club

SHEET ZOF 9 DATE Jul 2005

Disposal Zone

Port Townsend Disposal Site

TYPE: Dispersive

AREA: 884 Acres DEPTH: 361 ft.

SITE DIMENSIONS: 7000 ft. by 7000 ft. circular

DISPOSAL ZONE: 3000 ft. Dlameter

TARGET AREA: none

BARGE POSITIONING METHOD: VTS

NAD27 LOCATION: Lat 48# 13.62' Long 122# 58.95' NAD83 LOCATION: Lat 48# 13.61' Long 122# 59.03'

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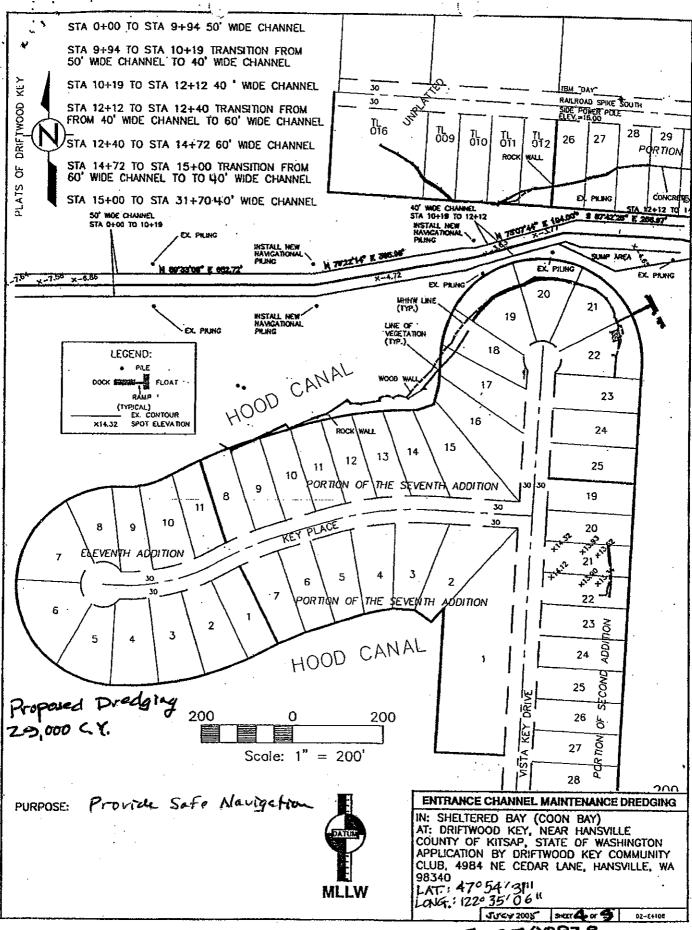
PURPOSE: Provide safe navigation

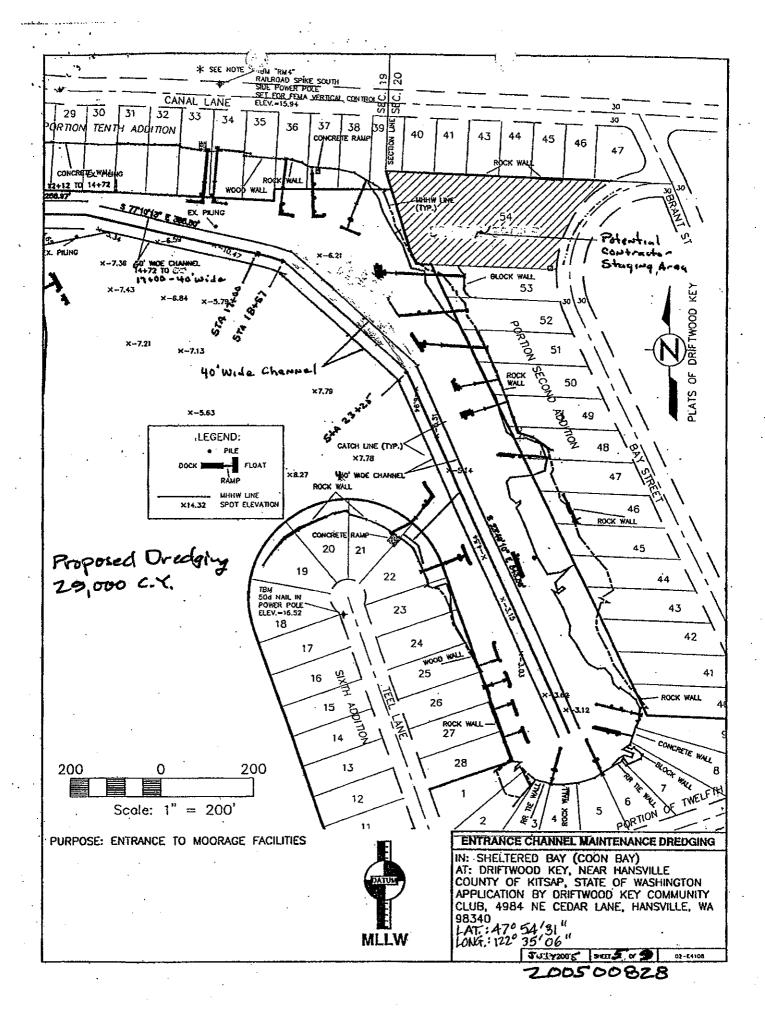
DATUM: N. D.S. - M.C.C. U. 20.0'

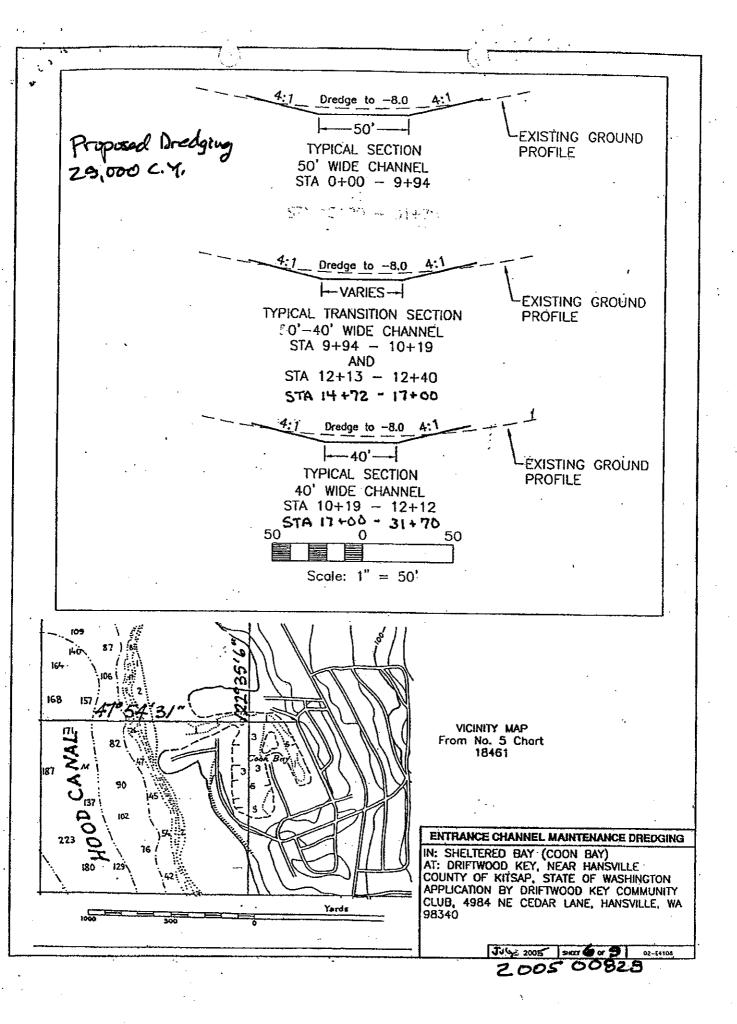
ADJACENT PROPERTY OWNERS:

See Sheets 6-9

Proposed Maintenance Dredging & Disposel, Piling IN Hood Canel, P.S. Near Hansville COUNTY OF Kitsap STATE WHA APPLICATION BY Priffword Key Club SHEET 3 OF 9 DATE Jul 05







ADJACENT PROPERTY OWNERS TO ENTRANCE CHANNEL MAINTENANCE DREDGING

Ptn. SEC. 19, T 28 N, R 2 E.

192802-1-016-2001 James and Dona Ellick 4953 NE Canal Lane Hansville, WA 98340

192802-1-009-2002 Dennis and Kay Hardin 4957 NE Canal Lane Hansville, WA 98340

192802-1-010-2007 Henry and Virginia Howe 4961 NE Canal Lane Hansville, WA 98340

192802-1-011-2006 David and Linda Lotze P.O. Box 385 Hansville, WA 98340

192802-1-012-2005 Robert Bale 4969 NE Canal Lane Hansville, WA 98340

DRIFTWOOD KEY 10th ADDN.

4265-000-026-0002 Richard and Ruby Stonecipher 13701 23rd Place NE Seattle, WA 98125

4265-000-027-0001 Brenda Lynn and Edgar Steinsvik 4977 NE Canal Lane Hansville, WA 98340 4265-000-028-0000 John and Marilyn Christofferson 5005 23rd Avenue W Everett, WA 98203

4265-000-029-0009 Roger Lennon 4985 NE Canal Lane Hansville, WA 98340

4265-000-030-0006 RJ Hooper 3333 East Shore Drive Seattle, WA 98112

4265-000-031-0005 Ron Baker 9020 NE 170th Street Kenmore, WA 98028

4265-000-032-0004 Thomas Leonard 300 N 73rd Avenue Yakima, WA 98908

4265-000-033-0003 Ron Baker 9020 NE 170th St. Kenmore, WA 98028

4265-000-034-0002 Seth Wilson P.O. Box 1484 Edmonds, WA 98020

4265-000-038-0001 Walter and Barbara Brown 210 NE 125th St. Seatlle,WA 98125 4265-000-036-0000 Cynthia Krieger 5013 NE Canal Lane Hansville, WA 98340

4265-000-037-0009 Darrell and Corinne Burrus 5017 NE Canal Lane Hansville, WA 98340

+265-000-038-0008 VC Linnabary 2104 N 122rd Street Seattle, WA 98133

4265-000-039-0007 Vahn Linnabary 2104 N 1∤22rd Street Seattle, WA 98133

DRIFTWOOD KEY 2nd ADDN.

4257-006-040-0001 James Kile 37771 Bay Street NE Hansville, WA 98340

4257-000-041-0000 Ronald and Mary Miller 37791 Bay Street NE Hansville, WA 98340

4257-006-042-0009 Roy Carson 8614 17th NE Seattle, WA 98115

4257-006-043-0008 George Minasian 37831 Bay Street Hansville, WA 98340

200500BZB

Proposed Maintenance

Dradying of Disposed, Piling
IN Hood Canal, PS.

New Hansville

COUNTY OF Fitsap STATE WA

APPLICATION BY Driftwood Keyclub

SHEET TOF 9 DATE Jul 2005

ADJACENT PROPERTY OWNERS TO ENTRANCE CHANNEL MAINTENANCE DREDGING

4257-006-044-0007 William and Mary Ruther 37853 Bay Street NE Hansville, WA 98340

4257-006-045-0006 Michael Sullivan P.O. Box 106 Tahuya, WA 98588

4257-006-046-0005 Thomas and Linda Averill 17737 14th NW Shoreline, WA 98177

4257-006-047-0004 Jordan and Mary Miller 2654 N Cliffview Place Boise, ID 83702

4257-006-048-0003 Jordan and Mary Miller 2654 N Cliffview Place Boise, ID 83702

4257-006-049-0002 Patrick and Carmen Day 37959 Bay Street NE Hansville, WA 98340

4257-006-050-0008 Evan Burkland 11045 35th Ave. NE Seattle, WA 98125

4257-006-051-0007 Albert and Greta Ann Bryan 4823 Snowmountain Road Yakima, WA 98902 4257-006-052-0006 Duane Mauro, Kathy Snyder and Debbie Mauro 22056 SE 304th ST Kent, WA 98042

4257-006-053-0005 Ernest Mathisen 38047 Bay Street NE Hansville, WA 98340

4257-006-054-0004 Driftwood Key Club Inc. P.O. Box 299 Hansville, WA 98340

DRIFTWOOD KEY 12th ADDN.

4267-000-001-0009 Humberto and Cheryl Sachs 8700 NE Bothell WAY C101 Bothell, WA 98011

4267-000-002-0008 James Savage 37640 Teel Lane NE Hansville, WA 98340

4267-000-003-0007 Harry and Mary Stutzke 4956 Cedar Lane Hansville, WA 98340

4267-000-004-0006 Donald Russell and Patricia Garrison 4984 NE Cedar Lane Hansville, WA 98340

4267-000-005-0005 Ronald and Carol Klenle 5024 NE Cedar Lane Hansville, WA 98340 4267-000-006-0004 John and Denise Leonard P.O. Box 566 Hayden Lake, ID 83835

4267-000-006-0202 John and Denise Leonard P.O. Box 566 Hayden Lake, ID 83835

4267-000-007-0102 Larry and Linda Weidkamp 5116 NE Cedar Lane Hansville, WA 98340

4267-000-009-0001 James Kile 37771 Bay Street NE Hansville, WA 98340

DRIFTWOOD KEY 6th ADDN.

4261-000-020-0002 Jean Waite 37680 Teel Lane NE Hansville, WA 98340

4261-000-021-0001 Douglas and Karen Miller 37373 Beaver Road NE Hansville, WA 98340

4261-000-022-0000 Peter Cosacchi 37672 Teel Lane NE Hansville, WA 98340

4261-000-023-0009 Todd and Michele Sundsmo 5871 ST. Paul Ct. Oakland, CA 94618

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Proposed Maintenance

Dradying & Disposed, Dilling
IN Hood Canal, P.S.

New Hansuille

COUNTY OF Fitsap STATE WA

APPLICATION BY Driffword Keyclub

SHEET FOF 9 DATE Jul 2005

ADJACENT PROPERTY OWNERS TO ENTRANCE CHANNEL MAINTENANCE DREDGING

4261-000-024-0008 Todd and Michelle Sundsmo 5871 St. Paul Ct. Oakland, CA 94618

4261-000-025-0007 Mason Bailey 37660 Teel Lane NE Hansville, WA 98340

4261-000-026-0006 Milton and Judith Harnden 37656 Teel Lane NE Hansville, WA 98340

4261-000-027-0005 Warren and Melissa Myers 3070 245th Ave. SE Issaquah, WA 98025

4261-000-028-0004 Nancy Bodine 37648 Teel Lane NE Hansville, WA 98340

DRIFTWOOD KEY 7th ADDN.

4262-000-008-0007 John Hunter 17928 Bothell Everett Way Suite J Bothell, WA 98012

4262-000-009-0006 John Hunter 17928 Bothell Everett Way Suite J Bothell, WA 98012 4262-000-010-0003 William Cummings P.O. Box 99427 Seattle, WA 98199

4262-000-011-0002 William Eakin 37891 Fawn Road NE Hansville, WA 98340

4262-000-012-0001 Gary and Barbara Edin P.O. Box 190 Hansville, WA 98340

4262-000-013-0000 Catherina Wilton 919 109th Avenue NE #1005 Bellevue, WA 98004

4262-000-014-0009 Mark and Virginia Bell 4478 NE Key Place Hansville, WA 98340

4262-000-015-0008 Richard and Roberta Jones P.O. Box 350 Hansville, WA 98340

4262-000-016-0007 Marvin and Barbara Stone 910 Hindley Lane Edmonds, WA 98020

4262-000-017-0006 Clark and Sandra Sheridan P.O. Box 490 Hansville, WA 98340 4262-000-018-0005 David Hind 532 Lake St. South G103 Kirkland, WA 98033

4262-000-019-0004 Lowell F. Wiley, Trustee 37544 Vista Key Drive NE Hansville, WA 98340

4262-000-020-0001 Nicholas and Anna Mulder P.O. Box 5758 Kent, WA 98031

4262-000-021-0000 Duane and Jeanice Laible 37547 Vista Key Drive NE Hansville, WA 98340

4262-000-022-0009 Norman and Kathy Lyshall 516 9th Avenue South Edmonds, WA 98020

200500828
Proposed Maintenance
Dradying of Disposed, piling
IN Hood Canal, P.S.
New Hansuille
COUNTY OF Fitsep STATE WH
APPLICATION BY Driftwood Keyclub
SHEET 2 OF 9 DATE Jul 2005



STATE OF WASHINGTON DEPARTMENT OF ECOLOGY

P.O. Box 47600 • Olympia, Washington 98504-7600 (360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006

STATE OF WASHINGTON DEPARTMENT OF ECOLOGY

Notice of Application for
Water Quality Certification
and for
Certification of Consistency with the
Washington Coastal Zone Management Program

Date: November 16, 2005

Notice is hereby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 401 of the federal Clean Water Act of 1977 (PL 95-217), to certify that the project described in the U.S. Army Corps of Engineers Public Notice No. 200500828 will comply with the Sections 301, 302, 303, 306, and 307 of the Act, and with applicable provisions of State and Federal water pollution control laws.

Notice is herby given that a request has been filed with the Department of Ecology, pursuant to the requirements of Section 307© of the Federal Coastal Zone Management Act of 1972 (16 U.S.C. 1451), to certify that the above referenced project will comply with the Washington State Coastal Zone Management Program and that the project will be conducted in a manner consistent with that program.

Any person desiring to present views on the project pertaining to the project on either or both (1) compliance with water pollution control laws or (2) the project's compliance or consistency with the Washington State Coastal Zone Management Program may do so by providing written comments within 30 days of the above publication date to:

Federal Permit Coordinator
Department of Ecology
SEA Program
Post Office Box 47600
Olympia, Washington 98504-7600